

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
JUL 22 2005

GAYE LUKER

§

DAVID J. MALAND, CLERK
BY
DEPUTY _____

VS.

§

Case No. 4:05cv195

§

(Judge Brown/Judge Bush)

JIM GAZAWAY, ET AL.

§

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

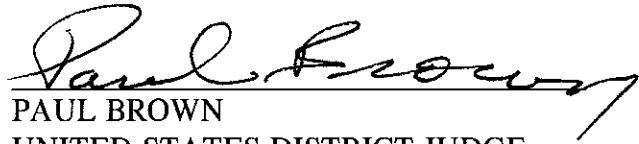
Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On June 27, 2005, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendation that Plaintiff's complaint be dismissed for lack of subject matter jurisdiction, for Plaintiff's failure to abide by the Federal Rules of Civil Procedure, for Plaintiff's repeated disregard of this Court's orders, for Plaintiff's failure to state a claim upon which relief can be granted, and because Plaintiff's claims are frivolous. The Court further recommended that Plaintiff be directed to file no further pleadings without first obtaining the Court's express written permission and that the Clerk of Court be directed to docket no further pleadings by this Plaintiff without the Court's consent.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

ORDERED, ADJUDGED and DECREED that the above titled and numbered cause of action is hereby **DISMISSED** for the reasons stated above. It is further

ORDERED that Plaintiff file no further pleadings in this Court without first obtaining the Court's express written consent and that the Clerk of Court docket no further pleadings by this Plaintiff without the Court's consent.

SIGNED this 27 day of July, 2005.


PAUL BROWN
UNITED STATES DISTRICT JUDGE